

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re: Chapter 7

NONNA BADALOVA, Case No. 15-40586 (nhl)

Debtor.

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VC2L LLC,

Plaintiff,

Adversary Proceeding No. 17-1040

-against-

NONNA BADALOVA,

Defendant.

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**ANSWER TO COMPLAINT DATED MARCH 23, 2017**

Nonna Badalova, Defendant, by her attorney Stuart P. Gelberg, Answers to the Complaint of the Plaintiff, states as follows:

1. Pursuant to Bankruptcy Rule 7012(b), Defendant admits the allegation in the Complaint that this proceeding is core within the meaning of 28 U.S.C. Section 157(b)(1) and (b)(2)(I).
2. The allegations of the Complaint in paragraphs 1, 2, 3, 5, 6, 8, 9, 10, 12, 13, 14, 15, 17, 18, 19, 20, 27 and 30 are admitted.
3. The allegations of the Complaint in paragraphs 28, 29, 33, 34, 35, 36, 37, 38, 41, 42, 43, 44, 45, 48, 49, 50, 51, 52, 53, 54 and 55 are denied.
4. The Defendant denies information sufficient to form a belief as to the truthfulness of the allegations contained in paragraphs 7 and 16.

5. The Defendant denies or admits so much of the allegations as previously contained in paragraphs 31, 39, and 46 as is denied or admitted in this Answer.

6. The Defendant admits that this is an Adversary Proceeding pursuant to 11 U.S.C. Section 727(a)(2)(3) & (4) objecting to the debtor's discharge and denies the remaining allegations in paragraph 4.

7. The Defendant admits that the Plaintiff issued an information subpoena and denies information sufficient to form a belief as to the truthfulness of the remaining allegations contained in paragraph 21.

8. The Defendant admits that she opened a bank account titled NBMD, Inc. and denies the remaining allegations contained in paragraph 23.

9. The Defendant admits she opened a bank account titled "Nicole L. Akovbyan by Nonna Badalova NYUTMA" and denies the remaining allegations contained in paragraph 24.

10. The Defendant admits she filed a Chapter 7 bankruptcy Petition with this Court on February 26, 2015 and denies the remaining allegations contained in paragraph 26.

11. The Defendant in response to the allegations contained in paragraph 32, 40 & 47 states that the provisions of 11 U.S.C. Section 727(a) speaks for itself.

12. The Defendant admits that she executed a mortgage on property located at 4600 Surf Avenue and that the mortgage was a second mortgage and denies the remaining allegations contained in paragraph 11.

13. The Defendant admits to personal receipt of a document from Plaintiff but does not recall when or which document was received as alleged in paragraph 22.

14. The Defendant admits receipt of papers from the Plaintiff in the weeks or months prior to the filing of the bankruptcy and denies the remaining allegations contained in paragraph 25. The

Defendant does not recall the nature of the papers received.

**AS AND FOR A FIRST AFFIRMATIVE DEFENSE**

15. The Complaint fails to state a claim.

WHEREFORE, Defendant, hereby requests that the Complaint be dismissed in its entirety.

Dated: Garden City, New York  
April 6, 2017

s/Stuart P. Gelberg

Stuart P. Gelberg (sg6986)  
Attorney for the Debtor/Defendant  
600 Old Country Road, Suite 410  
Garden City, NY 11530  
(516) 228-4280